

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 20

Introduced by Brashear, 4

Read first time January 9, 2003

Committee: Judiciary

A BILL

1 FOR AN ACT relating to county court; to amend section 24-517,
2 Revised Statutes Supplement, 2002; to change
3 jurisdictional provisions; and to repeal the original
4 section.

5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 24-517, Revised Statutes Supplement,
2 2002, is amended to read:

3 24-517. Each county court shall have the following
4 jurisdiction:

5 (1) Exclusive original jurisdiction of all matters
6 relating to decedents' estates, including the probate of wills and
7 the construction thereof, except as provided in subsection (c) of
8 section 30-2464 and section 30-2486;

9 (2) Exclusive original jurisdiction in all matters
10 relating to the guardianship of a person, except if a separate
11 juvenile court already has jurisdiction over a child in need of a
12 guardian, concurrent original jurisdiction with the separate
13 juvenile court in such guardianship;

14 (3) Exclusive original jurisdiction of all matters
15 relating to conservatorship of any person, including (a) original
16 jurisdiction to consent to and authorize a voluntary selection,
17 partition, and setoff of a ward's interest in real estate owned in
18 common with others and to exercise any right of the ward in
19 connection therewith which the ward could exercise if competent and
20 (b) original jurisdiction to license the sale of such real estate
21 for cash or on such terms of credit as shall seem best calculated
22 to produce the highest price subject only to the requirements set
23 forth in section 30-3201;

24 (4) Concurrent jurisdiction with the district court to
25 involuntarily partition a ward's interest in real estate owned in
26 common with others;

27 (5) Concurrent original jurisdiction with the district
28 court in all civil actions of any type when the amount in

1 controversy is forty-five thousand dollars or less through June 30,
2 2005, and as set by the Supreme Court pursuant to subdivision (b)
3 of this subdivision on and after July 1, 2005.

4 (a) When the pleadings or discovery proceedings in a
5 civil action indicate that the amount in controversy is greater
6 than the jurisdictional amount of subdivision (5) of this section,
7 the county court shall, upon the request of any party, certify the
8 proceedings to the district court as provided in section 25-2706.
9 An award of the county court which is greater than the
10 jurisdictional amount of subdivision (5) of this section is not
11 void or unenforceable because it is greater than such amount,
12 however, if an award of the county court is greater than the
13 jurisdictional amount, the county court shall tax as additional
14 costs the difference between the filing fee in district court and
15 the filing fee in county court.

16 (b) The Supreme Court shall adjust the jurisdictional
17 amount for the county court every fifth year commencing July 1,
18 2005. The adjusted jurisdictional amount shall be equal to the
19 then current jurisdictional amount adjusted by the average
20 percentage change in the unadjusted Consumer Price Index for All
21 Urban Consumers published by the Federal Bureau of Labor Statistics
22 for the five-year period preceding the adjustment date. The
23 jurisdictional amount shall be rounded to the nearest
24 one-thousand-dollar amount;

25 (6) Concurrent original jurisdiction with the district
26 court in any criminal matter classified as a misdemeanor or for any
27 infraction;

28 (7) Concurrent original jurisdiction with the district

1 court in domestic relations matters as defined in section 25-2740
2 and with the district court and separate juvenile court in
3 paternity determinations as provided in section 25-2740;

4 (8) Exclusive original jurisdiction in any action based
5 on violation of a city or village ordinance;

6 (9) Exclusive original jurisdiction in juvenile matters
7 in counties which have not established separate juvenile courts;

8 (10) Exclusive original jurisdiction in matters of
9 adoption, except if a separate juvenile court already has
10 jurisdiction over the child to be adopted, concurrent original
11 jurisdiction with the separate juvenile court; and

12 (11) All other jurisdiction heretofore provided and not
13 specifically repealed by Laws 1972, Legislative Bill 1032, and such
14 other jurisdiction as hereafter provided by law.

15 Sec. 2. Original section 24-517, Revised Statutes
16 Supplement, 2002, is repealed.